

## STATEMENT OF COMPLIANCE WITH CONFIDENTIALITY REQUIREMENTS FOR THE TEXAS TQIP COLLABORATIVE

---

### **PURPOSE**

The purpose of this document is to ensure that the members of the Texas Trauma Quality Improvement Program (“TQIP”) Collaborative (“Collaborative”) understand and acknowledge their responsibility to maintain the confidentiality of the Collaborative’s performance improvement proceedings.

The Collaborative functions as an organized committee under Section 773.095 of the Texas Health and Safety Code and a joint committee under Section 161.031 of the Texas Health and Safety Code, authorized to participate in medical peer review and medical committee proceedings in furtherance of the goals of evaluating and improving the quality of medical and health care services and promoting identification of best practices and quality improvement initiatives related to trauma care services.

All records, proceedings, communications, documents, data and/or reports produced by and exchanged between members of the Collaborative and the Collaborative shall be maintained as privileged and confidential and are not subject to court subpoena, pursuant to Sections 161.032 and 773.095 of the Texas Health and Safety Code and Section 160.007 of the Texas Occupations Code. The confidentiality provisions shall also apply to the monitoring and performance improvement activities of the Collaborative.

The records and proceedings may be used by the Collaborative and members of the Collaborative only in the exercise of proper Collaborative functions. Any records, communications, documents, data and/or reports prepared or received as part of the process of participating in the Collaborative do not constitute routine business or medical records of any institution/facility participating in the process.

Under Texas law, a committee member serving on or communicating information to the Collaborative shall not be liable for damages for any action taken or recommendation made within the scope of the functions of the Collaborative if the member acts without malice and in the reasonable belief that the action or recommendation is warranted by information known to the committee member. Texas Health and Safety Code Sections 161.033 and 773.096 and Texas Occupations Code Section 160.010,

Disclosure by a member of the Collaborative of any investigative information or any discussion of such information with unauthorized persons is a violation of Texas law and may expose that member to potential liability for unauthorized release of information.

### **PROCEDURES**

Members of the Texas TQIP Collaborative must abide by the following:

No information may leave the room except as assigned by the Trauma Medical Directors. All written confidential material related to review must be returned to the Trauma Medical Directors to store or destroy. Members may discuss matters brought to the attention of the Collaborative only as official

business; they may not discuss with others or disseminate in any way confidential information obtained in the course of these meetings or meeting preparation.

**STATEMENT OF COMPLIANCE**

I, the undersigned, have read and understand the above and agree to comply with requirements regarding confidentiality. Should I not comply with the requirements regarding confidentiality, I agree to resign immediately from the Texas TQIP Collaborative. Additionally, I understand that the failure to comply with the confidentiality requirements incumbent upon me may result in my being held personally liable for unauthorized release of information provided to me in my capacity as a member of the Texas TQIP Collaborative.

Name of Collaborative Member Facility: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_